

Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of the)	
)	
Rules and Regulations Implementing)	
)	CG Docket No. 02-278
the Telephone Consumer Protection)	
)	
Act of 1991)	

Ken Sponsler's Reply to Comments on the Request For Clarification of Call Assistant LLC

Several commenters have expressed concerns about Call Assistant's Request for Clarification citing various reasons including that the technology delivers a prerecorded message. The purpose of Telephone Consumer Protection Act (TCPA) express prior written consent requirements for the delivery of prerecorded solicitation messages to landlines as well as any prerecorded message to mobile phones are very clear. Two primary reasons are the fact that marketers have utilized prerecorded messages to deliver their messages to tens of thousands of consumers at relatively low cost resulting in a very high number of complaints. Secondly, consumers are not able to immediately invoke a request that further calls cease (entity-specific Do Not Call Request).

The fact is that Call Assistant's Echo technology does not encroach either of these concerns. First, a live agent is required for each and every call. Therefore it is impossible to use the technology in any way similar to the delivery of prerecorded messages. Secondly, the agent is capable of immediately accepting a consumer's request that further calls cease. The consumer's experience is completely interactive and conversational since the agent is controlling every response. Again, a major benefit here is that the technology delivers responses that are devoid of rude, irate or incorrect agent interactions. The consumer experiences a two-way conversation with an always pleasant, professional and accommodating voice on the other end of the phone, and can invoke an immediate request that further calls

cease at any time.

In fact, my detailed review of the technology indicates that it facilitates a very high level of compliance at a multitude of levels by reducing most of the human error factors that often lead to disclosure failures or inaccuracies, rude or unprofessional behaviors and other scripting shortcomings. The fact is that the Echo technology was developed for a purpose entirely different from that of prerecorded message delivery mechanisms. The technology was built to realize cost efficiencies made possible by well-trained agent's being capable of handling multiple calls simultaneously while also facilitating full compliance with disclosure and other scripting requirements.

CONCLUSIONS

Commenter's concerns that the Call Assistant Echo technology is just another prerecorded message delivery mechanism are simply incorrect. Since every call requires agent control and when required, intervention to accept a Do Not Call request, the technology can never be used in a manner even similar to prerecorded messages. Further, the technology provides consumers with a highly professional and compliant experience on every call.

A handwritten signature in blue ink, appearing to read "Ken Sponsler", with a large, stylized loop at the end.

Ken Sponsler
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